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RUEHLO/AMEMBASSY LONDON PRIORITY 0428  
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C O N F I D E N T I A L SECTION 01 OF 04 KUALA LUMPUR 000557

SIPDIS

FOR EAP/MTS AND INR

E.O. 12958: DECL: 06/30/2028

TAGS: [PGOV](#) [PINR](#) [KDEM](#) [MY](#)

SUBJECT: ANWAR TAKES REFUGE IN TURKISH EMBASSY, MOVES  
TOWARD RESOLUTION

REF: CLARK TO EAP-MTS EMAILS OF JUNE 29

Classified By: Political Section Chief Mark D. Clark, reason 1.4 (b and  
d).

Summary

1. (C) Malaysia's de facto opposition leader Anwar Ibrahim took refuge in the Turkish embassy on June 29 within hours after a police complaint of sodomy was filed by a junior staff assistant. Against the backdrop of his politically motivated jailing in 1998 over sodomy charges, Anwar's decision was taken to avoid arrest and to put international pressure on the Malaysian government, we understand. Anwar does not seek political asylum and intends to remain in Malaysia, according to public statements and Embassy conversations with his senior party officials. PM Abdullah, DPM Najib and other officials denied claims the police report reflects a political conspiracy, fighting off widespread public cynicism. Senior advisors in PM Abdullah's government signaled to us that they believe there will be a resolution to allow Anwar to leave his diplomatic refuge. Foreign Minister Rais Yatim summoned the Turkish ambassador June 30 and stated afterward that Anwar's "guest" status at the Turkish embassy must not last long. The Ambassador and senior Embassy officers engaged actively June 29-30 to express U.S. concerns, urge GOM assurances for Anwar Ibrahim's personal security, and press the GOM to quickly resolve Anwar's situation in a way that reinforces the primacy of the rule of law. Rampant rumors attribute Anwar's diplomatic sanctuary to U.S. actions. It appears that both sides are working toward a conclusion, possibly within the next 48 hours, to the immediate high political drama of Anwar's presence in the Turkish embassy and we should continue Embassy engagement to facilitate the movement toward de-escalation. As we prepared to transmit this cable at 1850 local time, we heard from Anwar's lawyer that Anwar was at that moment leaving the refuge of the Turkish ambassador's residence. End Summary.

Quick Escalation Over Weekend

2. (U) Late in the afternoon of Saturday, June 28, a junior staff assistant to Anwar Ibrahim, Saiful Bukhari Azlan, filed a police report in Kuala Lumpur against Anwar for alleged sodomy. In the hours that followed the report became known to Anwar and his Peoples Justice Party (PKR), who were holding a weekend retreat in Shah Alam. A local television station broadcast the news at 12 midnight. Anwar issued a public denial, read out by PKR Vice President Sivarasa

shortly after 1 a.m. on July 29.

¶3. (C) Against the background of Anwar's politically motivated arrest in 1998 and eventual conviction and imprisonment for sodomy, news of the police report set off alarms for Anwar and his close advisors who met in emergency session, according to PKR VP Sivarasa's account given to polchief. After some debate, Anwar and PKR concluded that Anwar risked immediate arrest in connection with the police investigation and should seek protection at the Turkish embassy. According to another PKR official who spoke with us, the group decided to "internationalize" the situation and by doing so force the GOM to respond to the charges and guarantee Anwar's safety. Accordingly, Anwar entered the Turkish embassy Sunday morning, June 29.

¶4. (U) PKR announced on June 29 that they held documents implicating Inspector General of Police Musa Hassan and Attorney General Gani Patail in the fabrication of evidence in court cases against Anwar in 1998. (Note: In the Anwar case, Musa was then the chief investigating officer, while Gani was the deputy chief prosecutor. End Note.) At a 1 pm press conference, Anwar's wife Wan Azizah and PKR Deputy President Syed Husin Ali stated that Anwar had received threats against his life, and subsequently PKR officials confirmed Anwar's presence in the Turkish embassy. PKR and sympathetic on-line media released information on the background of Anwar's accuser, publishing photos of the man with senior government officials, including those from DPM Najib's office, to make their case that the police report amounted to political conspiracy.

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#### Anwar Seeks Assurances He Will Not Face Arrest

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¶5. (C) Polchief met with PKR Vice President Sivarasa on June 30. Sivarasa stated that the staff aide's report against Anwar could reflect an attack by Attorney General Gani and Police chief Musa, or by DPM Najib, or a combination. Less clear was the role of PM Abdullah and his immediate circle. Anwar's flight to the Turkish embassy was based on fears of his imminent arrest. Anwar was prepared to cooperate with an investigation and, if need be, a trial, but should remain free on bail absent a conviction. Anwar had no confidence in the judicial system, however, particularly as both Gani and Musa were major actors in the 1998-99 investigation and prosecution. Anwar did not intend to seek asylum overseas as it would be impossible to lead the Opposition from abroad. Instead, Anwar hoped to leave the Turkish embassy within the next day or two. Key would be some assurance from the government that Anwar would not be jailed.

¶6. (C) Separately, PKR Supreme Council member Saifuddin Nasution said the police report against Anwar was intended to throw PKR off-balance, frustrate Anwar's attempts to bring down Abdullah's government by September 16, and protect IGP Musa and AG Gani from retribution under a future Anwar-led government. Saifuddin claimed Anwar was meeting with six senior civil servants at the time of the alleged crime, but would reveal his alibi as a last resort in order to protect these individuals.

#### Malaysian Government Statements and Assurances

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¶7. (SBU) PM Abdullah, seemingly caught off guard by the rapid turn of events, told reporters June 29, "let the police investigate and take appropriate action (on the sodomy complaint). The police are the ones who will determine whether the report is true or not. It is not something that we can determine. He (Anwar) will definitely deny it. That is common for someone who has been accused." Abdullah continued, "I do not think UMNO or BN will go to that extent to create trouble (for Anwar)... I believe even my friends

like (DPM) Najib do not have an intention to do such a thing to him." As the opposition fanned speculation that Najib was behind the police complaint, the Deputy Prime Minister issued an explicit denial on June 30: "This is not a political persecution. Let the police investigate the matter.... I'm not involved in this case." Speaking at Parliament, Najib further stated, "The government can assure him (Anwar) of his personal safety and he has never been harassed all this while when campaigning as the opposition leader."

¶8. (U) Other prominent figures in the ruling UMNO party commented on Anwar's situation, with most calling for a thorough investigation of the sodomy allegations. Hishammuddin Hussein called Anwar's refuge in the Turkish embassy "senseless." Khairy Jamaluddin, influential son-in-law of the Prime Minister, dismissed Anwar's actions as a ploy to gain public sympathy: "Let the police do their duty and determine who is right and who is lying."

#### Turkish Embassy in Tight Spot

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¶9. (SBU) Foreign Minister Rais Yatim took exception on June 29 to the Turkish embassy's sheltering of Anwar. Rais explained that Anwar did not qualify for any sort of diplomatic protection as he was being sought for a criminal investigation and for political reasons. "If he is evading any sort of preventive law like the ISA (Internal Security Act), then it is a different matter. But he is being sought for an investigation involving sodomy, which is a crime under the Penal Code." Rais said the Turkish ambassador had been summoned to the Foreign Ministry, and would be asked to stop "meddling in Malaysia's internal affairs."

¶10. (C) The Ambassador contacted Turkish Ambassador Barlas Ozener on June 30 and shared views on the need for the Malaysian government to de-escalate the situation and commit itself to a course of transparency and due process. Ozener said he would make such points to the Foreign Minister later in the day. (Note: Turkish Prime Minister Erdogan is

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scheduled to visit Malaysia for the D-8 summit, which begins July 4. End Note.)

¶11. (U) In an immediate press report following the Foreign Ministry meeting, FM Rais Yatim said the Turkish ambassador had clarified that he had not invited Anwar, but the PKR leader had gone there of his own accord and had not sought political asylum. "The Malaysian government accepts this explanation," FM Rais said. "Anwar is not at the ambassador's house as an asylum seeker but as a guest. It has just been less than 24 hours. If he stays for a longer period then we might have to take a different stance." Rais Yatim added, "the (Turkish) ambassador will try to get Anwar Ibrahim out as soon as possible, as soon as convenient."

¶12. (SBU) The situation at the Turkish embassy remained calm as of early afternoon on June 30. A small police presence was on hand checking passing vehicles, while some 15 journalists camped outside the embassy wall.

#### Parliament

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¶13. (U) Anwar's predicament played out in Parliament on June 30. The Parliament speaker Pandikar ejected opposition MP Gobind Singh, son of veteran DAP leader Karpal Singh, after Gobind decried the state of security in Malaysia that forced Anwar to seek refuge in the Turkish embassy, and refused to sit down. A minor protest also took place at Parliament during the course of the day.

#### Anwar Sues Accuser, Other Complaint Pending

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¶14. (C) Anwar, through his lawyers, filed a defamation suit at the Kuala Lumpur High Court on June 30 against the aide who claimed Anwar sodomized him. The suit claims that the police report Saiful Bukhari lodged was an abuse of the "process of law." We understand from PKR sources that Anwar's police report against IGP Musa and AG Gani for fabricating evidence in the 1998 Anwar cases will be filed later this week. PKR's evidence reportedly includes an audio tape of Gani offering to release as suspect from ISA detention in return for making statements against Anwar.

#### U.S. Embassy Urges Rule of Law Approach

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¶15. (C) As events unfolded on Sunday, July 29, the Ambassador and Embassy personnel actively sought information on Anwar's situation and the Malaysian government's actions (ref emails). Polchief returned the call of an aide to Anwar Ibrahim early on the morning of July 29. The aide stated he wanted to ensure that the Embassy was fully aware of events. We remained in contact with PKR officials, diplomatic sources, and informed journalists throughout the day.

¶16. (C) On June 30, the Ambassador spoke with Ambassador-at-large Ghazzali Khalid, highlighted U.S. concerns, and urged the Malaysian government to provide assurances for Anwar Ibrahim's personal security, as well as transparency and due process in any police investigation. The Ambassador emphasized the Malaysian government should act quickly to resolve Anwar's situation in a way that reinforces the primacy of the rule of law. Ghazzali responded defensively that it was inconceivable for the GOM to resort to the tactics (falsifying a police case) and threats alleged by Anwar, but Ghazzali nonetheless committed to helping to strengthen the government's presentation of transparency and due process.

¶17. (C) DCM contacted businessman and Najib confidante Tan Kay Hock by phone the morning of June 30 to register our concern with the current situation. DCM said we weren't taking sides but we were concerned with rule of law and the transparency of Malaysian legal and political processes. The sodomy accusation appeared to lack credibility given the political use of this instrument in the past, and the international community would view the arrest of Anwar with skepticism, the DCM said. Tan, who appeared ready to respond, indicated that he thought Anwar was in no danger of imminent arrest. That said, he continued, it was a fact that a report alleging an act of sodomy by Anwar had been filed

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with the police, and the government had to let due process take its course. "I guarantee you," he stressed, "Anwar will not be arrested." Tan thought it was odd that Anwar had sought refuge in the Turkish Embassy. He recalled the recent Raja Petra article on the web alleging a direct link between Najib's wife and the October 2006 murder of a Mongolian woman with a connection to the DPM. "This article was an outrageous lie with a transparently political motive," Tan remarked, "and Raja Petra is still on the street." "Malaysia is not a police state," he said. "The government has behaved with restraint throughout the Raja Petra affair, and it never would have handled the case like this if Mahathir were still in power."

¶18. (C) Polchief spoke with Mohamad Fatmi Che Salleh, political secretary to DPM Najib. Polchief expressed U.S. concern over the reports regarding Anwar Ibrahim and their implications for rule of law in Malaysia and Malaysia's international reputation and relations. Polchief urged the Malaysian government to act to de-escalate the situation, and handle matters in a transparent manner. Fatmi acknowledged that he understood these points, and stated that the situation should de-escalate over the next day or so.

Rampant Rumors of U.S. Involvement

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¶19. (C) On June 30, Kuala Lumpur appeared saturated with rumors that the U.S. was somehow connected to Anwar's flight to the Turkish embassy. Following a PKR statement that the party had contacted several embassies seeking protection for Anwar, we received numerous questions from our contacts as to whether Anwar requested refuge in the U.S. Mission (he did not). Cabinet Minister Shahrir Samad joked with FSN political specialist that Anwar went to the Turkish embassy only because the U.S. Embassy is not open on Sunday. Other contacts have alleged that the U.S. pressured Turkey as a NATO ally to shelter Anwar. The UMNO-owned "Utusan" daily contacted Embassy press officer and posed only the question of Anwar's alleged request for U.S. protection.

Comment  
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¶20. (C) The June 28 police report and sodomy allegations against Anwar quickly set off a chain of events that, at this point, has not played in the government's favor, as senior UMNO leaders from the Prime Minister on down have been forced to deny allegations of a plot against Anwar and explain why Anwar supposedly feared for his life. Widespread public belief, supported by the facts, that Anwar's earlier sodomy conviction represented a political conspiracy, and poor public regard for judicial integrity, will lead many Malaysians to conclude reflexively that the current allegations are also trumped up. Anwar's interests in leading the opposition, however, are ill served by an extended period in the Turkish embassy or asylum abroad, and could also lead to uncomfortable questioning of foreign support for Anwar. To be effective, Anwar needs to remain in Malaysia and remain out of jail.

¶21. (C) It appears at this moment that both sides are working toward a conclusion, possibly within the next 48 hours, to the immediate high political drama of Anwar's presence in the Turkish embassy. Through Embassy engagement we should continue to facilitate the movement toward de-escalation. GOM assurances that Anwar will not be arrested in the course of a police investigation will be key, as highlighted by PKR' private and public remarks. Our actions and public statements should take into account the significant suspicions of U.S. backing for Anwar and widespread belief we are somehow involved in his diplomatic protection; separately, we have provided EAP with suggested press guidance.  
KEITH